

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 26, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 19, 2004.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated October 19, 2004. Hudkins, Workman and Stevens voted aye. Heier abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. Southeast Community College Annual Report - Jack Huck, President

Jack Huck, President of Southeast Community College (SCC), gave a presentation of the following documentation:

- *August, 2004 Annual Report to the Residents* (Exhibit 1) including:
 - Tuition: Comparisons of tuition and fees for Nebraska colleges
 - Enrollment at SCC
 - 2003 Graduate Employment
 - 2003 Academic Transfer Graduates
 - Partnerships with southeast Nebraska
 - Local Property Tax History
 - 2004-2005 Expenditures & Sources of Revenues

2) **SPECIAL PRESENTATIONS CONTINUED:**

- *2003 Annual Graduate Placement Report* (Exhibit 2) including:
Placement Objectives
2003 Graduate Surveys
2003 Graduate Placement Statistics

3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS FOR REVIEW:**

A. Payment Voucher 837-1315, dated October 5, 2004 - Human Services has requested payment to A to Z Printing, in the amount of \$7,880. The payment voucher exceeds the \$1,000 purchasing guidelines which stipulates that a requisition is needed when purchasing from a non-contracted vendor, therefore, bids should have been obtained.

Kerry Eagan, Chief Administrative Officer, appeared and requested that the claim for review be deferred for one week to allow additional time for receipt of a purchase order.

By direction of the Chair, the claim for review was deferred for one week.

5) **CLAIMS: Approval of all claims processed through Tuesday, October 26, 2004.**

MOTION: Workman moved and Hudkins seconded approval of all claims processed through October 26, 2004. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

A. Sale of County property, generally located at 3830 Adams Street, Lincoln, Nebraska, legally described as Wesleyan Heights, Lots 94-98, and determination of fair market value of the property.

Eagan requested that the hearing be cancelled and rescheduled for Tuesday, November 16, 2004. He stated the appraisal was to be submitted by the 26th of October, however, John Layman, appraiser, was not available for the hearing.

The Chair indicated the public hearing regarding the sale of County owned property and the determination of fair market value was cancelled and would be rescheduled for November 16, 2004 at 1:30 p.m..

7) **NEW BUSINESS:**

- A. A resolution approving a project for TMCO, Inc., a Nebraska corporation, and determining the intent of Lancaster County, Nebraska to issue industrial development revenue bonds in a principal amount not to exceed \$3,500,000 to finance the costs of such project; and related matters. (R-04-0130)**

David Lucas, bond counsel, stated TMCO, Inc. would like to be the recipient of an industrial development revenue issue. He explained that the County would not yet be approving the bonds, however, the Internal Revenue Code requires that the County approve a resolution of intent approving the project.

John Albers, TMCO, Inc., explained that the bond issue would be used to purchase equipment and that they hope to increase the number of employees by 30 in the next two years.

MOTION: Workman moved and Hudkins seconded approval of Resolution 04-0130 approving a project for TMCO, Inc., a Nebraska corporation, and determining the intent of Lancaster County, Nebraska to issue industrial development revenue bonds in a principal amount not to exceed \$3,500,000 to finance the costs of such project; and related matters. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

- B. A resolution authorizing the installation of a driveway warning sign in advance of 8100 Rokeby Road for eastbound traffic. (R-04-0128)**

MOTION: Workman moved and Hudkins seconded approval of Resolution 04-0128 authorizing the installation of a driveway warning sign in advance of 8100 Rokeby Road for eastbound traffic. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

- C. A resolution in the matter of the vacation of a portion of George Street and adjoining alleys that are within the unincorporated area of Agnew, located in the Southwest one-quarter of Section 12, Township 12 North, Range 5 East, in Lancaster County, Nebraska. (R-04-0129)**

MOTION: Hudkins moved and Workman seconded approval of Resolution 04-0129 in the matter of the vacation of a portion of George Street and adjoining alleys that are within the unincorporated area of Agnew, located in the Southwest one-quarter of Section 12, Township 12 North, Range 5 East, in Lancaster County, Nebraska. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

D. A grant contract with Lincoln Action Program, Inc. for management of "The HUB" Project, a transitional services network for disconnected youth/young adults ages 16-21, in the amount of \$110,549. Term of the grant contract is July 1, 2004 through September 30, 2005. Lincoln Action Program will contribute \$133,898 in matching funds. (C-04-00505)

MOTION: Hudkins moved and Workman seconded approval of a grant contract with Lincoln Action Program, Inc. for management of "The HUB" Project, a transitional services network for disconnected youth/young adults ages 16-21, in the amount of \$110,549. Heier, Hudkins, Workman and Stevens voted aye. Motion carried.

E. A grant contract with Cedars Youth Services for the Tracker Program and Day Reporting Center, in the amount of \$181,000. Term of the grant is July 1, 2004 to June 30, 2005. (C-04-0506)

MOTION: Workman moved and Hudkins seconded approval of a grant contract with Cedars Youth Services for the Tracker Program and Day Reporting Center, in the amount of \$181,000. Term of the grant is July 1, 2004 to June 30, 2005. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

F. A grant contract with Cedars Youth Services for the Youth Excelling in School (YES) Program for 25 children, ages five to eleven, in the amount of \$72,823. Term of the grant will be from July 1, 2004 to June 30, 2005. Cedars will contribute \$37,130 in matching funds. (C-04-0507)

MOTION: Hudkins moved and Workman seconded approval of a grant contract with Cedars Youth Services for the Youth Excelling in School (YES) Program for 25 children, ages five to eleven, in the amount of \$72,823. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

G. A grant contract with Cedars Youth Services for the Community Integration Team Program, in the amount of \$50,690. Term of the grant will be from July 1, 2004 to June 30, 2005. Cedars will contribute \$17,079 in matching funds. (C-04-0508)

MOTION: Heier moved and Hudkins seconded approval of a grant contract with Cedars Youth Services for the Community Integration Team Program, in the amount of \$50,690. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

H. A grant contract with Cedars Youth Services for the Minority Outreach Diversion Program, in the amount of \$36,634. Term of the grant will be from July 1, 2004 to June 30, 2005. Cedars will contribute \$4,292 in matching funds. (C-04-0509)

MOTION: Heier moved and Workman seconded approval of a grant contract with Cedars Youth Services for the Minority Outreach Diversion Program, in the amount of \$36,634. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

I. A grant contract with Cedars Youth Services for the Project SEEK (Services to Enable and Empower Kids), in the amount of \$25,987. Term of the grant will be from July 1, 2004 to June 30, 2005. Cedars will contribute \$18,017 in matching funds. (C-04-0510)

MOTION: Workman moved and Hudkins seconded approval of a grant contract with Cedars Youth Services for the Project SEEK (Services to Enable and Empower Kids), in the amount of \$25,987. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

J. An agreement with Cedars Youth Services for the operation of a Juvenile Pre-trial Diversion Program, which includes the operation of a Teen Court Program. The County will provide funding, in the amount of \$53,050. Term of the agreement is July 1, 2004 to June 30, 2005. (C-04-0511)

MOTION: Hudkins moved and Workman seconded approval of an agreement with Cedars Youth Services for the operation of a Juvenile Pre-trial Diversion Program, which includes the operation of a Teen Court Program. Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

K. An agreement with Seim, Johnson, Sestak and Quist LLP to prepare and deliver the Medicare Form HCFA 2088-92-A cost report for the fiscal year ended June 30, 2004 for the Community Mental Health Center. The length of this agreement is from the date of execution until the cost report has been submitted to the County. The County will pay \$3,900 to \$4,000 for the services. (C-04-0512)

MOTION: Hudkins moved and Workman seconded approval of an agreement with Seim, Johnson, Sestak and Quist LLP to prepare and deliver the Medicare Form HCFA 2088-92-A cost report for the fiscal year ended June 30, 2004 for the Community Mental Health Center. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

L. An amendment to an interlocal agreement between the State of Nebraska, Department of Health and Human Services and Lancaster County, under County Contract C-03-0593, for the delivery of employment related services to refugees in Lincoln and Lancaster County. The amendment extends the term of the agreement until September 30, 2005, and also amends the compensation section. The department will pay the County up to \$236,518 for the services. (C-04-0513)

MOTION: Workman moved and Heier seconded approval of an amendment to an interlocal agreement between the State of Nebraska, Department of Health and Human Services and Lancaster County, under County Contract C-03-0593, for the delivery of employment related services to refugees in Lincoln and Lancaster County. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

M. Recommendation from the Purchasing Agent and the County Engineer to award a bid for annual requirements for brush killer to Vegetation Management Supply Inc., in the amount of \$11,107.20. (B-04-0045)

MOTION: Hudkins moved and Workman seconded approval of the recommendation from the Purchasing Agent and the County Engineer to award a bid for annual requirements for brush killer to Vegetation Management Supply Inc., in the amount of \$11,107.20. Workman, Heier, Hudkins and Stevens voted aye. Motion carried.

N. A political subdivision tort claim filed against Lancaster County Corrections by Jeremy Durant for lost property, in the amount of \$17.

MOTION: Workman moved and Hudkins seconded denial of a tort claim filed against Lancaster County Corrections by Jeremy Durant for lost property, in the amount of \$17. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

O. A request from Sherrie Gregory for a refund of real estate taxes for 2003 on property located at 12200 West Fletcher Road.

MOTION: Workman moved and Heier seconded denial of a request from Sherrie Gregory for a refund of real estate taxes for 2003 on property located at 12200 West Fletcher Road.

7) **NEW BUSINESS CONTINUED:**

In response to a question asked by Hudkins, Norm Agena, County Assessor/Register of Deeds, explained that the mobile home should have been removed prior to January 1st of 2003. He stated his office had asked Ms. Gregory for documentation regarding the mobile home and suggested that she file a protest, however, she did neither. Agena explained that even if the mobile home was removed in 2002, he would not be able to go back and change the value because it had already been set for 2003.

ROLL CALL: Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

- 8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lancaster County Attorney's Quarterly Report for July 1, 2004 through September 30, 2004.
2. Lancaster County Engineering Department's Annual Report to the Nebraska Board of Road Classifications and Standards (NBCS) for Fiscal Year ending June 30, 2003.
3. Lancaster County Engineering Department's Annual Report to the Nebraska Board of Road Classifications and Standards (NBCS) for Fiscal Year ending June 30, 2004.
4. Lincoln City Libraries Director's Report for September, 2004.

MOTION: Hudkins moved and Workman seconded approval of the Consent Items. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

9) **ANNOUNCEMENTS:**

Heier indicated he spoke with Kerry Eagan, Chief Administrative Officer, regarding the possibility of rescheduling the public hearing for the Proposed One and Six-Year Road and Bridge Improvement Program because he will be unable to attend on November 9, 2004.

Eagan stated it is scheduled for discussion on the staff meeting agenda for Thursday, October 28th.

Hudkins indicated he also requested that the hearing be rescheduled due to a Board of Health meeting that same evening.

10) **ADJOURNMENT:**

MOTION: Workman moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:23 p.m.. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 26, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Deb Schorr

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:23 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 19, 2004.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated October 19, 2004. Hudkins, Workman and Stevens voted aye. Heier abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

Kristy Mundt, Deputy County Attorney, requested that a public hearing be set for correcting the 2004-2005 tax rates for Sanitary Improvement District #6 (West Emerald) and Sanitary Improvement District #8 (Walton) on Tuesday, November 2, 2004, immediately following the Board of Commissioners regular meeting, which begins at 1:30 p.m., in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building.

Mundt stated errors occurred in setting the tax rates for those two entities and explained that the Board of Equalization has the powers to correct the errors, however, they must do so by November 5th.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 77 additions and deductions to the tax assessment rolls per Exhibit "A".

MOTION: Workman moved and Heier seconded approval of the additions and deductions to the tax assessment rolls. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Community Blood Bank of the Lancaster County Medical Society
CrossBridge Christian Church
Our Lady of Guadalupe Seminary, a division of Priestly Fraternity of St. Peter**

MOTION: Workman moved and Hudkins seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Heier and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Equalization meeting at 2:26 p.m.. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk